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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,675	01/27/2004	Sihem Amer-Yahia	2002-0447	9820
26652	7590	05/18/2007	EXAMINER	
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			ALI, MOHAMMAD	
			ART UNIT	PAPER NUMBER
			2166	
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			05/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/765,675

Applicant(s)

AMER-YAHIA ET AL.

Examiner

Mohammad Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,8,9,11-13,16,17 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/11/07 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "whether" vague and indefinite.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-3, 8-9, 11-13, 16-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanveer Fathima Syeda-Mahmood ('Syeda-Mahmood' hereinafter), USPGPub 2003/0065655 in view of Green et al. ('Green' hereinafter), USP, 6,986,104.

With respect to claim 1,

Syeda-Mahmood teaches a method of searching a document having nested-structure document-specific markup (see para. 0044), the method comprising:

receiving a query that designates at least (A) a phrase to be matched in a phrase matching process (see para. 0054, Syeda-Mahmood), and (B) a selective designation of at least a tag or annotation that is to be ignored during the phrase matching process (see paras. 0024, 0048, Syeda-Mahmood);

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deriving query-specific indices based on query-independent indices that were created specific to each document (see paras. 0053, 0054, Syeda-Mahmood); and carrying out the phrase matching process using the query-specific indices on the document having the nested-structure document-specific markup (see paras. 0044, 0050 Syeda-Mahmood).

Syeda-Mahmood does not explicitly indicate claimed tag or annotation that is ignored during the phrase matching process.

Green discloses claimed tag or annotation that is ignored during the phrase matching process (see col. 14, lines 36-41, col. 37, lines 1-3, Green).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the cited references because tag or annotation that is ignored during the phrase matching process of Green's teaching would have allowed Syeda-Mahmood's system in interactive process to build grammars and rules for the normalization of contents as suggested by Green at col. 37, lines 32-34. Further, tag or annotation that is ignored during the phrase matching process as taught by Green allow for more efficient processing, the computer-based device to perform a statistical or other analysis of the source database to identify how many times or how often individual elements are present, or may otherwise provide information for use in prioritizing elements for mapping to the standardized lexicon (see col. 4, lines 20-25, Green).

As to claim 2,

a set of context tags defining a context to which the phrase match should be restricted (see para. 0040 et seq, Syeda-Mahmood).

As to claim 9,

Syeda-Mahmood teaches wherein:

the document's nested-structure document-specific markup is in Extensible Markup Language (XML) (see para. 0044, Syeda-Mahmood).

As to claim 10,

Syeda-Mahmood teaches wherein:

the receiving step includes receiving a query that designates at least a phrase to be proximity-matched in the phrase matching process (see para. 0057, Syeda-Mahmood); and

the phrase matching process involves proximity phrase matching as distinguished from exact phrase matching (see paras. 0058, 0059, Syeda-Mahmood).

Claims 11-13, 16-17, and 20 have the same subject matter as of claims 1-10 and essentially rejected for the same reasons as discussed above.

In response to applicant's arguments details is above and some dependent claims has allowable subject matter.

Allowable Subject Matter

6. Claims 4-7, 14-15 and 18-19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Syeda-Mahmood teaches wherein the query-independent indices were created (see para. 0044, 0050 Syeda-Mahmood)

by a method including:

a) labeling elements in the document with intervals (see para. 0044 et seq, Syeda-Mahmood), wherein:

a1) for markup tags, the intervals are defined in terms of a starting index number associated with an opening markup tag and an ending index number associated with a closing markup tag that corresponds to the opening markup tag (see paras. 0024, 0048 Syeda-Mahmood), and

a2) for single words, the intervals are defined in terms of a single index number associated with the word (see para. 0025, Syeda-Mahmood); and

b) forming the query-independent indices so that they are configured to be used in the searching method by first receiving, for a word or tag in the document, a position in the document, and by then indicating whether or not the word or tag is present at that position (see para. 0024, 0048 Syeda-Mahmood).

As to claim 3,

Syeda-Mahmood teaches wherein the step of deriving the query-specific indices involves deriving the query-specific indices from the query-independent indices without rebuilding any of the query-independent indices (see para. 0025, Syeda-Mahmood).

As to claim 8,

Syeda-Mahmood teaches wherein the query (see para. 0064, Syeda-Mahmood) further designates:

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Mohammad Ali
Primary Examiner
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